APPENDIX OF STATUTES CITED.

I.

STATUTES SUPPORTING SUPREME COURT'S JURISDICTION.

(Judicial Code, section 240, amended.) Certiorari to circuit courts of appeals and Court of Appeals of District of Columbia; * * *.

(a) In any case, civil or criminal, in a circuit court of appeals, or in the Court of Appeals of the District of Columbia, it shall be competent for the Supreme Court of the United States, upon the petition of any party thereto, whether Government or other litigant, to require by certiorari, either before or after a judgment or decree by such lower court, that the cause be certified to the Supreme Court for determination by it with the same power and authority, and with like effect, as if the cause had been brought there by unrestricted writ of error or appeal. (Mar. 3, 1891, c. 517, Sec. 6, 26 Stat. 828; Mar. 3, 1911, c. 231, Sec. 240, 36 Stat. 1157; Feb. 13, 1925, c. 229, Sec. 1, 43 Stat. 938.)

Judicial Code, Sec. 240 (a).
28 U. S. C., Sec. 347 (a).

Petition to court for enforcement of order; proceedings; review of judgment.

(e) The Board shall have power to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia), or if all the circuit courts of appeals to which application may be made are in vacation, any district court of the United States (including the district court of the United States for the District of Columbia), within any circuit or district, respectively, wherein the unfair

labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order * * * The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate circuit court of appeals if application was made to the district court as hereinabove provided, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in sections 346 and 347 of Title 28. (June 7, 1934, c. 426, 48 Stat. 926; July 5, 1935, c. 372, Sec. 10, 49 Stat. 453; June 25, 1936, c. 804, 49 Stat. 1921.)

NLRA, Sec. 10 (e).
29 U. S. C., Sec. 160 (e).

II.

CERTAIN PROVISIONS OF NATIONAL LABOR RELATIONS ACT.

Representatives of employees for collective bargaining; * * * question affecting commerce, hearing; * * *.

(a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such units for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment: *Provided*, That any individual employee or a group of employees shall have the right at any time to present grievances to their employer.

* * * * * *

(c) Whenever a question affecting commerce arises concerning the representation of employees, the Board may investigate such controversy and certify to the parties, in writing, the name or names of the representatives that have been designated or selected. In any such in-

vestigation, the Board shall provide for an appropriate hearing upon due notice, either in conjunction with a proceeding under section 160 of this title or otherwise, and may take a secret ballot of employees, or utilize any other suitable method to ascertain such representatives. (July 5, 1935, c. 372, Sec. 9, 49 Stat. 453.)

NLRA, Sec. 9 (a), (c).
29 U. S. C., Sec. 159 (a), (c).

Findings and declaration of policy.

The denial by employers of *the right of employees to organize* and the refusal by employers to accept the procedure of collective bargaining lead to strikes and other forms of industrial strife or unrest, which have the intent or the necessary effect of burdening or obstructing commerce by (a) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (b) occurring in the current of commerce; (c) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods from or into the channels of commerce, or the prices of such materials or goods in commerce; or (d) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing from or into the channels of commerce.

The inequality of bargaining power between employees who do not possess *full freedom of association* or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.

Experience has proved that *protection by law of the right of employees to organize* and bargain collectively safeguards commerce from injury, impairment, or inter-

ruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees.

It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and *by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing,* for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection. July 5, 1935, c. 372, Sec. 1, 49 Stat. 449. (Italics ours.)

NLRA, Sec. 1.
29 U. S. C., Sec. 151.

III.

ELECTION PROVISION OF THE RAILWAY LABOR ACT.

Fourth. Employees shall have the right to organize and bargain collectively through representatives of their own choosing. The majority of any craft of employees shall have the right to determine who shall be the representative of the craft or class for the purposes of this chapter. (May 20, 1926, c. 347, Sec. 2, 44 Stat. 577; June 21, 1934, c. 691, Sec. 2, 48 Stat. 1186.)

RLA, Sec. 2, Fourth.
45 U. S. C., Sec. 152, Fourth.